

CHUCK CLARKE
Director



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

3601 W. Washington • Yakima, Washington 98903-1164 • (509) 575-2800

July 24, 1992

Olsen Bros
Route 2 Box 2400
Prosser WA 99350

Re: Emergency Drought Authorization - Olsen Bros.
(see Ground Water Application No. G4-31344)

In accordance with the provisions of RCW 43.83B.405, it was ordered and determined by the Director of the Department of Ecology on June 29, 1992, that the Yakima River basin is under drought conditions. The Yakima River basin is comprised of Water Resource Inventory Areas 37, 38, and 39, naturally drained by the Yakima River and its tributaries.

Olsen Bros. owns a portion of the S $\frac{1}{2}$ of Section 26 and the S $\frac{1}{2}$ of Section 27, both within T. 10 N., R. 26 E.W.M., of which 210.3 acres are served irrigation water by the Roza Irrigation District.

In accordance with the guidance of Chapter 173-166 Washington Administrative Code (WAC) and the Drought Declaration Order, the Washington State Department of Ecology is issuing an Emergency Drought Authorization with the following limitations and conditions:

This EMERGENCY AUTHORIZATION will terminate on or before December 1, 1992, (the effective duration of the Order of Drought Declaration), unless sooner revoked by the Director of the Department of Ecology. This authorization shall in no manner imply or be construed to guarantee that a final (regular) permit will issue for the future use of the facility herein authorized. Ground Water Application No. G4-31344 was submitted to the Department of Ecology on July 15, 1992. A formal permit decision will be made at a future undetermined date.

Withdrawal/diversion of water under this authorization may be limited or otherwise regulated in favor of senior rights.

Yakima River water delivered by the Roza Irrigation District is normally available to serve 210.3 acres within the parcel described below.

There is less than 75% of normal water supply available for delivery to the Olsen Bros. property described above due to drought conditions in the Yakima River drainage basin. Mr. Olsen has requested in writing, authorization to construct an emergency well to supplement irrigation water normally delivered by the Roza Irrigation District.

The emergency source authorized is an existing well located approximately 1400 feet west and 100 feet south from the E $\frac{1}{4}$ corner of Section 26, T. 10 N., R. 26 E.W.M., being within the N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 26.

The following construction requirements must be satisfied before water use as described below can be started.

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Installation and maintenance of an access port as described in Ground Water Bulletin No. 1 is required. An air line and gage may be installed in addition to the access port.

All water wells constructed within the state shall meet the minimum standards for construction and maintenance as provided under RCW 18.104 (Washington Water Well Construction Act of 1971) and Chapter 173-160 WAC (Minimum Standards for Construction and Maintenance of Water Wells).

Casing depth is unknown for the well authorized under this Emergency Drought Authorization. The exact casing depth and evidence of proper well construction will be required before a regular permit decision can be made. This may require a video scan of the well.

Monthly power meter readings shall be submitted to the Central Regional Office of the Washington State Department of Ecology during the entire period when water is being withdrawn under this right.

This EMERGENCY AUTHORIZATION is specifically to make up for deficits in the primary water supply described above. The quantity of water is limited to 500 gpm/1.5 ac-ft/ac or 315.5 total acre-feet for irrigation of 210.3 acres located within the following described place of use:

Parcel A

The E $\frac{1}{2}$ SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ lying easterly of Main Roza Canal, less 2.51 feet for road, in Section 27, T. 10 N., R. 26 E.W.M.

Parcel B

That portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ described as follows: Beginning at the southeast corner of said subdivision; thence N 70° W to a portion on the southeasterly right of way line of Roza Main Canal; thence southerly and westerly along said right of way to the south line of said NW $\frac{1}{4}$ SE $\frac{1}{4}$; thence east along said south line to the point of beginning, in Section 27, T. 10 N., R. 26 E.W.M.

Parcel C

The SW $\frac{1}{4}$ and the W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 26, T. 10 N., R. 26 E.W.M.

EXCEPT that portion beginning at the southeast corner of said W $\frac{1}{2}$; thence N 03°56'53" W along the east line of said W $\frac{1}{2}$ a distance of 1252.18 feet to the True Point of Beginning; thence S 86°44'18" W a distance of 715.46 feet; thence N 09°11'19" E a distance of 382.16 feet; thence N 04°09'49" W a distance of 504.31 feet; thence N 35°01'11" W a distance of 504.49 feet to a point on the north line of said SE $\frac{1}{4}$; thence N 84°36'17" E along said north line a distance of 891.11 feet to the northeast corner of said W $\frac{1}{2}$; thence S 03°56'53" E along the east line of said W $\frac{1}{2}$ a distance of 1339.65 feet to the True Point of Beginning.

AND EXCEPT that portion of the SE $\frac{1}{4}$ beginning at the southeast corner of said W $\frac{1}{2}$ being the True Point of Beginning; thence S 86°44'18" W along the south line of said Section a distance of 412.12 feet; thence N 33°36'09" W a distance of 58.62 feet; thence N 61°22'08" W a distance

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of 94.28 feet; thence N 55°09'47" W a distance of 50.11 feet; thence N 50°42'17" W a distance of 50.18 feet; thence N 45°34'30" W a distance of 31.11 feet; thence N 38°26'41" W a distance of 234.35 feet; thence N 36°30'13" W a distance of 48.68 feet; thence N 32°23'30" W a distance of 50.14 feet; thence N 23°00'29" W a distance of 50.20 feet; thence N 15°54'48" W a distance of 49.37 feet; thence N 06°02'41" W a distance of 40.82 feet; thence N 07°44'44" E a distance of 50.25 feet; thence N 06°31'01" W a distance of 137.19 feet; thence N 09°11'19" E a distance of 476.49 feet; thence N 86°44'18" E a distance of 715.46 feet to a point on the east line of said W $\frac{1}{2}$, thence S 03°56'53" E along said east line a distance of 1252.18 feet to the True Point of Beginning.

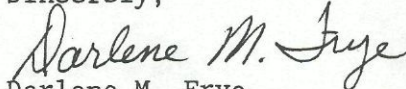
AND EXCEPT that portion of Section 26 as described as follows: the southwest corner of said Section 26 being the True Point of Beginning; thence N 10°57'45" W along the west line of said Section a distance of 907.66 feet; thence S 89°07'49" E a distance of 304.96 feet; thence S 49°44'11" E a distance of 1273.55 feet to a point on the south line of said Section 26; thence S 86°42'55" W along said south line a distance of 1105.95 feet to the True Point of Beginning; ALL in Section 26, T. 10 N., R. 26 E.W.M., in Benton County, Washington.

Parcel D

That portion of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, T. 10 N., R. 26 E.W.M., described as follows: Beginning at the northeast corner of said subdivision; thence S 90°00' W along the north line of said subdivision 806 feet to the True Point of Beginning; thence N 90°00' E 188 feet; thence S 0°25' W 291 feet; thence S 89°30' W 141 feet; thence northwesterly 310.5 feet; more or less, to the True Point of Beginning. AND an easement for road purposes over and across presently existing road along the east side of said Section 35.

You have the right to obtain review of this order. Request for review must be made, within thirty (30) days of receipt of this order, to the Washington Pollution Control Hearings Board, PO Box 40903, Olympia, Washington 98504-0903. Concurrently, a copy of the request must be sent to the Department of Ecology, PO Box 47600, Olympia, Washington 98504-7600. These procedures are consistent with the provisions of Chapter 43.21B RCW and the rules and regulations adopted thereunder.

Sincerely,



Darlene M. Frye
Technical Unit Supervisor
Water Resources Program

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Enclosure(s): Ground Water Bulletin No. 1
 Receipt No. 183225

cc: Wendell Hannigan, Yakima Indian Nation